

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY gfe D.C.  
05 DEC 20 AM 10:01

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

vs.

SCI TENNESSEE FUNERAL SERVICES,  
INC. d/b/a MEMPHIS FUNERAL HOME  
and FAMILY FUNERAL CARE,

and

SERVICE CORPORATION  
INTERNATIONAL,

Defendants.

Civil Action No. 05-2718 DP

THOMAS M. HODD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS

**PROPOSED SCHEDULING ORDER**

Pursuant to written notice, a Telephonic Scheduling Conference was held on Monday, December 12, 2005. Present were Carson Owen, counsel for Plaintiff and Maurice Wexler and Angie C. Davis, counsel for Defendants. At the conference the following dates were established as the final dates for:

**INITIAL DISCLOSURES PURSUANT TO FED.R.CIV.P. 26(a)(1):**

The parties shall exchange initial disclosures required by Rule 26(a)(1) Fed.R.Civ.Pro., on or before Thursday, January 12, 2006.

**JOINING PARTIES:** By Monday, March 13, 2006

This document entered on the docket sheet in compliance  
MAXD 917054 v1 with Rule 58 and/or 79(a) FRCP on 12/21/05  
2781581-000068 12/20/05

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**AMENDING PLEADINGS:** By Monday, March 13, 2006

**INITIAL MOTIONS TO DISMISS:** By Wednesday, April 12, 2006

**COMPLETING ALL DISCOVERY:** By Friday, September 15, 2006

**(a) DOCUMENT PRODUCTION:** By Friday, September 15, 2006

**(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:** By September 15, 2006

**(c) EXPERT WITNESS DISCLOSURE (Rule 26 (a)(2))**

**(1) DISCLOSURE BY PLAINTIFF AND DEFENDANT OF INITIAL EXPERT INFORMATION AND EXPERT REPORTS:** By Thursday, June 15, 2006

**(2) DISCLOSURE BY PLAINTIFF AND DEFENDANT OF RESPONSIVE EXPERT INFORMATION AND EXPERT REPORTS:** By Tuesday, August 15, 2006

**(3) EXPERT WITNESS DEPOSITIONS:** By Discovery Deadline

**FILING DISPOSITIVE MOTIONS:** By Wednesday, November 15, 2006

**OTHER RELEVANT MATTERS:**

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within thirty (30) days of the default or the service of the response, answer or objection, which is the subject of the motion, if the default occurs within thirty (30) days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last five (5) days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

  
TU M. PHAM  
UNITED STATES MAGISTRATE JUDGE

DATE: December 19, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02718 was distributed by fax, mail, or direct printing on December 21, 2005 to the parties listed.

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Honorable Bernice Donald  
US DISTRICT COURT